



DEPARTMENT OF HEALTH & HUMAN SERVICES

Office of the Secretary
Office of the General Counsel

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June 25, 2008

Chairman Kevin J. Martin
Federal Communications Commission
Room 8-B201
445 Twelfth Street, S.W.
Washington, DC 20554

Dear Chairman Martin:

Re: In the Matter of *The United States Department of Health and Human Services Substance Abuse and Mental Health Services Administration Petition for Permanent Reassignment of Three Toll Free Suicide Prevention Hotline Numbers*, in *Toll Free Service Access Codes*, CC Docket No. 95-155, CC Docket No. 07-271

This letter is filed on behalf of the United States Department of Health and Human Services' (HHS) Substance Abuse and Mental Health Services Administration (SAMHSA), in response to the letter filed on June 6, 2008 by KBHC.^{1/}

KBHC's June 6, 2008 letter refers to an unspecified settlement with AT&T of their billing dispute. KBHC's "non-payment issues" with AT&T were confirmed in the record of this docket.^{2/} While the AT&T debt undoubtedly contributed to KBHC's pattern and history of financial instability that led to service disruptions and threats of discontinuation of service to the toll free suicide prevention hotlines^{3/} when such numbers were assigned to KBHC, the AT&T debt alone did not create the circumstances which resulted in the reassignment of the suicide prevention hotline numbers to SAMHSA. The FCC order of January 22, 2007 referred to KBHC's "history of being unable to pay its service providers," in addition to KBHC's "non-payment to AT&T" among other conditions that supported the reassignment of numbers to

¹ See, *KBHC's Application for Review of the Transfer of Three Toll Free Suicide Prevention Hotline Numbers*, WC Docket No. 07-271, CC Docket No. 95-155, Letter from Danny E. Adams, dated June 6, 2008.

² See, CC Docket No. 95-155, Letter of December 29, 2006.

³ The toll free numbers 1-800-SUICIDE, 1-888-SUICIDE, and 1-877-SUICIDA are referred to collectively as the "suicide prevention hotlines."

SAMHSA.^{4/} Therefore, while a settlement with AT&T may have some effect on KBHC's current financial condition, it does not change the conditions which contributed to the risks to the public of having service to the suicide prevention hotlines shut down or interrupted.

In KBHC's latest letter, as well as in previous filings,^{5/} it has maintained, without factual support, that its circumstances have changed. Specifically, KBHC has claimed in the June 6, 2008 letter that it has entered into the following contractual arrangements:

(1) Service agreements with Heartbeat International, Care Net, and the Option Line "to obtain telephone service for all of its lines."^{6/}

(2) Contract between KBHC and Option Line providing that the Option Line will supply "telephony transport and routing services for all KBHC numbers," and prepayment to the Option Line "for a full 12 months of services."^{7/}

(3) Partnership(s) with organizations including Post Secret, To Write Love on her Arms, and Synclive.^{8/}

(4) Grants from BMS, Astra Zeneca, Pfizer, and Forrest Labs.^{9/}

In a previous filing, KBHC stated "The executed contracts will be submitted for Commission review through an ex parte filing once they have been completed."^{10/} KBHC has not done so, despite its assertions.

Further, KBHC has characterized certain of these agreements as prepayment of services for 'all phone numbers, including the suicide prevention hotlines.' Based on SAMHSA's experience operating the suicide prevention hotlines for the past 22 months, SAMHSA estimates

⁴ See, *Toll Free Service Access Codes*, CC Docket No. 95-155, Order DA 07-130, January 22, 2007, reassigning three toll-free numbers (1-800-784-2433, 1-888-784-2433, 1-877-2432) to SAMHSA for a period of one year.

⁵ See, *KBHC's Application for Review of the Transfer of Three Toll Free Suicide Prevention Hotline Numbers*, WC Docket No. 07-271, CC Docket No. 95-155, Letter from Danny E. Adams, dated April 2, 2008 and Reply Comments of the Kristin Brooks Hope Center (filed February 6, 2008).

⁶ KBHC Letter of June 6, 2008, page 1

⁷ KBHC Letter of June 6, 2008, page 2

⁸ KBHC Letter of June 6, 2008, page 3

⁹ KBHC Letter of June 6, 2008, page 3

¹⁰ See Reply Comments of the Kristin Brooks Hope Center (filed February 6, 2008), page 6, *In the Matter of Toll Free Service Access Codes*, CC Docket No. 95-155 and CC Docket No. 07-271.

that telephone services to support a call volume of more than 20,000 calls monthly costs an average of \$28,320 monthly (over \$330,000 annually).^{11/} Moreover, as noted in SAMHSA's reply comments filed with the FCC in March 2008, the recipient of SAMHSA's current cooperative agreement to operate the suicide prevention hotlines, Link2Health Solutions, provides more than \$700,000 annually in direct financial support to the crisis centers.^{12/} Therefore, SAMHSA estimates that the total funds needed to maintain the suicide prevention hotlines at their current level of service exceeds \$1,030,000 annually.^{13/}

During more than 18 months since the FCC ordered the reassignment of the suicide prevention hotlines to SAMHSA, KBHC has not substantiated its claims that its circumstances have changed. There is no demonstrable record that the circumstances that existed prior to January 2007 have changed with respect to KBHC's financial instability that imperiled the operation of the suicide prevention hotlines. Even if some of the new sources of funding alleged by KBHC can be verified, there is no evidence, beyond KBHC's repeated assertions, that they are able to operate the suicide prevention hotlines in a stable and secure manner for the benefit of the public, and will be able to do so consistently in the future. Therefore, the risk to the public of calls going unanswered due to interrupted or curtailed service would have a high likelihood of recurring if the hotline numbers are returned to KBHC's control.

At this time, SAMHSA reiterates its request for permanent reassignment of the suicide prevention hotlines. The record of this docket is clear regarding the number of callers in crisis using the suicide prevention hotlines, and the importance of maintaining public access. In the interests of the public health, and in the interests of sustaining the ongoing operation of the suicide prevention hotlines as a stable, secure, public resource, we respectfully request that the FCC grant SAMHSA's request for permanent reassignment.

Sincerely,

A handwritten signature in black ink, appearing to read 'Rina Hakimian', with a long horizontal flourish extending to the right.

Rina Hakimian
Senior Attorney

Attachment

¹¹ See Declaration of Eric Broderick, SAMHSA, June 25, 2008.

¹² Reply Comments of the U.S. Department of Health and Human Services Substance Abuse and Mental Health Services Administration, *In the Matter of Toll Free Service Access Codes*, CC Docket 95-155 and CC Docket No. 07-271 (filed March 6, 2008), page 10.

¹³ Please note that this amount of \$700,000 does not include the staff time required to operate the network. See Declaration of Eric Broderick, SAMHSA, June 25, 2008.

**BEFORE THE FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, DC 20554**

In the Matter of

Substance Abuse and Mental Health Services
Administration

Petition for Permanent Reassignment of Three Toll Free
Suicide Prevention Hotline Numbers

Toll Free Service Access Codes

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) **CC Docket No. 95-155**
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) **CC Docket No. 07-271**
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To: The Commission

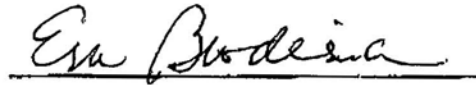
DECLARATION OF ERIC BRODERICK

1. My name is Eric Broderick and I am currently the Deputy Administrator for the Substance Abuse and Mental Health Services Administration (SAMHSA), of the U.S. Department of Health and Human Services. As the Deputy Administrator, I am the chief operating officer for SAMHSA and share with the Administrator responsibility for management of SAMHSA's activities in support of its mission to improve the lives of people with or at risk for mental illness. As part of these duties, I oversee internal and external policy development for SAMHSA, and am responsible for communication of these policies.
2. I make this Declaration based on personal knowledge, unless otherwise indicated.

3. I have read the attached letter dated June 25, 2008 from the U.S. Department of Health and Human Services Substance Abuse and Mental Health Services Administration to Kevin J. Martin, Commissioner, Federal Communications Commission, in the above-referenced docket, and can attest to the accuracy of the facts stated therein.
4. Specifically, I can attest to the facts regarding the costs of operating the suicide prevention hotlines. Based on SAMHSA's experience operating the suicide prevention hotlines since August 2006, SAMHSA estimates that telephone services to support call volume of more than 20,000 calls monthly costs an average of \$28,320 monthly.
5. The recipient of SAMHSA's current cooperative agreement, Link2Health Solutions, operates the National Suicide Prevention Lifeline (NSPL). As part of its responsibilities under the cooperative agreement, Link2Health Solutions provides more than \$700,000 annually in direct financial support to the crisis centers. SAMHSA estimates that the total funds needed to maintain the suicide prevention hotlines at their current level of service exceeds \$1,030,000 annually. The amount of \$700,000 does not include the staff time required by NSPL staff members to operate the network.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge and information and belief.

June 25, 2008

A handwritten signature in cursive script, reading "Eric Broderick", is written over a horizontal line.

Eric Broderick